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October 21, 2016

Ex Parte

Re: Protecting the Privacy of Broadband and Other Telecommunications Services, WC
Docket No. 16-106

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Ms. Dortch:

On October 20, 2016, I spoke with Commissioner Ajit Pai on the phone to discuss the Commission's broadband privacy rulemaking.

We discussed the Chairman's fact sheet and areas where it differs from the FTC approach to privacy as set out in the 2012 FTC Privacy Report ("Protecting Consumer Privacy in an Era of Rapid Change"). We discussed the scope of the proposed rule as applied to non-ISP functions of BIAS providers, the treatment of IP addresses under the proposed rule, whether sensitive data should be defined to include all web browsing data, and the FTC's approach to the use of customer data for first party marketing purposes.

Sincerely,



Jon Leibowitz

cc: Ajit Pai, Commissioner